IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 19TH NOVEMBER 2007 / 28TH KARTHIKA 1929

Bail Appl..No. 7007 of 2007()

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CMP.9394/2007 of J.M.F.C.-II,KOTTARAKKARA
C.R.NO.75/07 OF EZHUKONE EXCISE RANGE.

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: PETITIONER/ACCUSED

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BABY P., S/O. PHILIPOSE,
ROADVILA VEEDU, VELIYAM COLONY MURI,
VELIYAM VILLAGE, KOTTARAKKARA.

BY ADV. SRI.K.V.ANIL KUMAR

RESPONDENTS: COMPLAINANT

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STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**R. BASANT, J.**

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**B.A. NO. 7007 of 2007**

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**Dated this the 19th day of November, 2007**

**ORDER**

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. He was allegedly found to be in possession of 2.5 litres of arrack on 3/11/07. He was arrested and continues in custody from that date. The learned Public Prosecutor submits that the petitioner has no history of any criminal antecedents.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

3. **In the result:**

(a) The application is allowed.

(b) The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall execute a bond for Rs.25,000/-

with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(ii) The petitioner shall make himself available for interrogation before the Investigating Officer as and when directed by the Investigating Officer in writing to do so.

**(R. BASANT, JUDGE)**

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